

AMENDED IN SENATE AUGUST 22, 2014

AMENDED IN SENATE MARCH 26, 2014

SENATE BILL

No. 1333

Introduced by Senator Wyland

February 21, 2014

An act to amend Section 110100 of the Health and Safety Code, relating to ~~vitamin~~ *vitamins and supplements*.

LEGISLATIVE COUNSEL'S DIGEST

SB 1333, as amended, Wyland. Vitamin *and* supplement ingredients: ~~labeling; country of origin; certification.~~

Existing law, the Sherman Food, Drug, and Cosmetic Law, generally regulates the packaging and labeling of foods and requires that all labels of foods, drugs, or cosmetics conform with the requirements of the federal Fair Packaging and Labeling Act, as specified, and the regulations adopted pursuant to that federal act. A violation of these provisions is a crime.

Existing law also authorizes the State Department of Public Health to adopt additional food labeling regulations.

This bill would require that ~~vitamins that are packaged and distributed in this state identify on the package label the country of origin of each ingredient listed on the label.~~ *a manufacturer and a wholesaler or distributor of vitamins or supplements in the state certify certain information to the department, including the country of origin for the vitamins and supplements.* The bill would also require the department to establish a program to enforce that requirement, to conduct a random sampling to assess the potency of each vitamin, and to ensure that information provided regarding the potency of the ingredients identified on the label is accurate. *create a form for a manufacturer and a*

wholesaler or distributor to certify the required information to the department and for the department to adopt a procedure for the submission of the form. By creating a new crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 110100 of the Health and Safety Code
2 is amended to read:

3 110100. (a) All food labeling regulations and any amendments
4 to those regulations adopted pursuant to the federal act, in effect
5 on January 1, 1993, or adopted on or after that date shall be the
6 food labeling regulations of this state.

7 (b) The department may, by regulation, adopt additional food
8 labeling regulations. Prior to the adoption of any food labeling
9 regulation pursuant to this subdivision, the department shall seek
10 comments from consumer groups and representatives of the food
11 industry that have been identified by the department as being
12 affected by the proposed regulation.

13 ~~(c) (1) Each vitamin that is packaged and distributed in this~~
14 ~~state shall include on the package label the country of origin of~~
15 ~~each ingredient that is listed on the label.~~

16 ~~(2) The department shall establish a program to do all of the~~
17 ~~following:~~

18 ~~(A) Enforce the requirements of paragraph (1).~~

19 ~~(B) Conduct a random sampling to assess the potency of each~~
20 ~~vitamin.~~

21 ~~(C) Ensure that information provided regarding the potency of~~
22 ~~each vitamin is accurate.~~

23 (c) *A manufacturer and a wholesaler or distributor that sells*
24 *or distributes vitamins or supplements in the state shall certify to*
25 *the department all of the following:*

1 (1) *That the vitamins and supplements do not contain any of the*
2 *federally recognized contaminants in excess of federal safety limits.*

3 (2) *That all ingredients in the vitamins and supplements are*
4 *listed on the label.*

5 (3) *The quantity of active ingredients in the vitamins and*
6 *supplements.*

7 (4) *The country of origin for the vitamins and supplements.*

8 (d) *The department shall create a form for a manufacturer and*
9 *a wholesaler or distributor to certify to the department the*
10 *information in paragraphs (1) to (4), inclusive, and shall adopt a*
11 *procedure for submitting the form.*

12 SEC. 2. No reimbursement is required by this act pursuant to
13 Section 6 of Article XIII B of the California Constitution because
14 the only costs that may be incurred by a local agency or school
15 district will be incurred because this act creates a new crime or
16 infraction, eliminates a crime or infraction, or changes the penalty
17 for a crime or infraction, within the meaning of Section 17556 of
18 the Government Code, or changes the definition of a crime within
19 the meaning of Section 6 of Article XIII B of the California
20 Constitution.